

REMARKS

This application, as amended herein, contains claims 1 - 20, and newly added claim 21. Only dependent claim 20 has been amended, as it is submitted that the rejection is simply not supported by fact or law.

Claims 1-20 were rejected under 35 U.S.C. 103(a) as being unpatentable over Payne et al in view of the newly cited patent to Matyas, Jr. This rejection is traversed.

Claim 1, recites a method for providing one or more alerts over a network and determining a reaction to said alerts. The method comprising the steps of:

composing one or more alert messages, which are sent to an alert database;

using network links for gathering a plurality of reaction enabling analysis tools for a user to use in a collaborative manner with other users to respond to the respective alert;

using data extracted from one or more databases, including the alert database, to dispatch the alert messages and corresponding reaction enabling analysis tools to one or more of the users over a network, the alert messages and corresponding reaction enabling analysis tools allowing contact with facilities useful in responding to the alert; and

users who have received the alert message and
corresponding reaction enabling analysis tools
cooperating with each other in conducting
analysis by using the reaction enabling analysis
tools to determine a reaction to said alert.

Thus, the method of claim 1 recites using network links for gathering a plurality of reaction enabling tools for a client to use in a collaborative manner with other users to respond to the respective alert. Users who have received the alert message and corresponding reaction enabling analysis tools cooperate with each other in conducting analysis by using the reaction enabling analysis tools to determine a reaction to said alert.

As admitted by the Examiner in withdrawing the previous rejection, Payne et al. clearly does not teach or suggest claim 1. A detailed argument for why this is so was submitted in Applicants' previous paper, and is set forth again below. However, the issue is: what, if anything is added by Matyas, Jr. As set forth immediately below, it is respectfully submitted that nothing relevant is added by Matyas, Jr.

The Examiner cites Matyas, Jr. for the portion that recites:

The present invention relates to a method and apparatus for providing product survey information in an electronic payment system, such as the MiniPay system, so that buyers can receive product evaluation information prior to making

purchases and so that buyers can participate in on-line surveys, in order that they may provide comments about purchased products. In accordance with the present invention, an electronic payment system in which a buyer purchases a product by sending an electronic payment order to a seller is enhanced to provide product survey information. An additional entity, an evaluator, collects product survey information from buyers that have previously purchased products from the seller and provides product survey information to prospective buyers upon request. (Matyas, Jr., Column 2, line 63 to column 3, line 9, emphasis added).

The Examiner's rejection stretches the relevance of Matyas, Jr. beyond any reasonable interpretation. The purchases in Matyas, Jr. do not cooperate with one another. There simply is no interaction between them in solving a problem in response to an alert. This is because:

1. Any product evaluation the purchaser may provide goes to an evaluator, and not to other purchasers to review, enhance, modify or critique. There is no cooperation on a user to user basis.
2. The product evaluation information is of absolutely no use in responding to an alert, which may be time sensitive. Product evaluation information based on user surveys is only generated after the user receives and has an opportunity to evaluate the product, and finally gets around to the task of providing the evaluation information. This can be months after the purchase. Then, the evaluator must sift through the information, edit it, and finally supply it, thus generating further delay.

Thus, not only does Matyas, Jr. not teach or suggest what is being done in claim 1, but there is absolutely nothing that would suggest user cooperation to respond to an alert in Matyas, Jr. In other words, first there is no suggestion to combine the references, and second, even if they are combined, claim 1 is still not rendered obvious.

As noted in the previous amendment, Payne et al. is directed to a system for making electronic purchases. The network-based sales system of Payne et al. may include at least one buyer computer for operation by a user desiring to buy a product, at least one merchant computer, and at least one payment computer. The buyer computer, the merchant computer, and the payment computer are interconnected by a computer network. The buyer computer is programmed to receive a user request for purchasing a product, and to cause a payment message to be sent to the payment computer that comprises a product identifier identifying the product.

There is no teaching or suggestion in Payne et al. of using network links for gathering a plurality of reaction enabling tools for a client to use in a collaborative manner with other users to respond to an alert, as set forth in claim 1. Further, there certainly is no teaching or suggestion that users who have received the alert message and corresponding reaction enabling analysis tools cooperate with each other in conducting analysis by using the reaction enabling analysis tools to determine a reaction to an alert. The method of claim 1 allows a user to bring an extensive range of resources to bear on solving

problems, or for obtaining desired information, including cooperating with other users in using the reaction enabling tools to conduct analysis to determine an appropriate reaction.

Payne et al. is directed primarily to providing information via an Internet connection to facilitate making a purchase. No portion of Payne et al., whether specifically cited by the Examiner or not, teaches or suggests the recitations in claim 1 discussed above.

For the reasons set forth above with respect to Matyas, Jr., it is submitted that the combination of Payne et al. and Matyas, Jr. simply do not render claim 1 obvious. It is thus submitted that claim 1 is directed to patentable subject matter.

The remaining claims (except for claims 19 and 20) depend from independent claim 1. These claims have further recitations, which when combined with the recitations of claim 1, are also directed to patentable subject matter.

As note above, even if taken in combination with Matyas, Jr., Payne et al. does not teach or suggest that users who have received the alert messages and corresponding reaction enabling analysis tools can or should cooperate with each other in conducting analysis by using the reaction enabling analysis tools to determine a reaction to an alert, in making a purchase. Indeed, such collaboration would not make sense in Payne et al. However, in Applicants' invention, as set forth in claim 1,

such collaboration is highly advantageous in allowing users to work together to solve a difficult problem. In this regard, reference is made to the specification at page 6, lines 8 - 16, where such collaboration is specifically described. Payne et al. is completely silent with respect to this type of approach. Reference is also made to the discussion set forth below for dependent claims 15 and 16.

With specific reference to claim 2, the tool gathering is done by one or more of a manual process and automatic process and the combination of manual and automatic processes. Payne et al., even if combined with Matyas, Jr., does not teach or suggest claim 2.

Further, Payne et al., even if combined with Matyas, Jr., does not teach or suggest the contents of alert messages in claim 3, or the events as set forth in claim 4.

With respect to claim 5, Payne et al., even if combined with Matyas, Jr., does not teach or suggest associating one or more of the response enabling tools to alerts by use of any one or more of the recited response enabling tools. Further, Payne et al., even if combined with Matyas, Jr., does not teach or suggest the list of response enabling tools set forth in claim 6.

Payne et al., even if combined with Matyas, Jr., does not teach or suggest that one of the databases is a database of client information as set forth in claim 7 or that the response enabling tools are determined by the

alert and a combination of the user information, as specifically set forth in claim 8.

With respect to claim 10, Payne et al., even if combined with Matyas, Jr., does not teach or suggest providing access to otherwise protected service on a temporary basis. Further, Payne et al., even if combined with Matyas, Jr., does not specifically teach an exclusive service, an access to a web site and an access to privileged information, as set forth in claim 11.

Payne et al., even if combined with Matyas, Jr., does not teach or suggest that a client includes one more of a website and a person as set forth in claim 12, or that the response tools include any one more of connection to multiple reaction system and connection to a collaborative system, as in claim 13.

Thus, for the reasons set forth above, and for the reasons as set forth with respect to claim 1, it is submitted that claims 2 - 13, are directed to patentable subject matter.

Claim 14 recites the method of claim 1, further comprising establishing a community of interest of users in response to said alert. The prior art does not teach or suggest that the users specifically collaborate with one another, by cooperatively using the reaction enabling analysis tools, as set forth in claim 1, from which claim 14 depends. Thus, it is submitted that claim 14 is also directed to patentable subject matter.

Claim 15 states that the other users are experts in the subject matter of the alert. Claim 16 states that other users include a virtual community having members that can assist in responding to the alert. These claims are not rendered obvious by Payne et al., even if combined with Matyas, Jr.

The Examiner asserts that the community of interest is the users of the www, and further that an expert is anyone who knows the product and is willing to help a user friend select the best product. The Examiner is simply wrong in two respects. First, there is nothing in Payne et al. that teaches or suggests that other users of the www or a friend should be consulted in helping to make a decision. The Examiner is reading material into the reference which simply is not there, and provides no citation to any specific portion of Payne et al. Second, there certainly is nothing in Payne et al., even if combined with Matyas, Jr., that teaches or suggests that users who have received the alert messages and corresponding reaction enabling analysis tools cooperate with each other in conducting analysis by using the reaction enabling analysis tools to determine a reaction to the alert. Thus it is submitted that claims 15 and 16 are directed to patentable subject matter.

Claim 17 adds the additional recitation of providing a message if the user frequently declines to respond to alerts. This feature of Applicants' invention advantageously allows for corrective action of various kinds to be taken, such as contacting the user by other means, or sending fewer or no such alerts. It is

respectfully submitted that claim 17 is also directed to patentable subject matter.

Claim 18 recites providing identity and entitlement information to the facilities to enable access to the facilities. Payne et al., even if combined with Matyas, Jr., does not teach or suggest such an approach. Indeed, this would be completely counterproductive in the network-based sales system of Payne et al., as it could have the effect of limiting sales. However, it is advantageous in Applicants' invention, in that the facilities, which may provide complex information or services, are accessed so as to assist the user in solving what may be a difficult problem. Thus, it is submitted that claim 18 is also directed to patentable subject matter.

Independent claim 19 has been amended in a manner similar to the amendments of claim 1, but also states that the reaction enabling tools are research and computational tools. While Payne teaches a network-based sales system, there is no teaching or suggestion in Payne et al., even if combined with Matyas, Jr. of bring together reaction enabling tools to permit research and computation concerning a subject of interest and to enable a reaction to an alert based on such research and calculation. For the reasons set forth above, and for the reasons set forth with respect to claim 1, it is respectfully submitted that claim 19 is directed to patentable subject matter.

Claim 20, which depends from claim 19, has been amended herein to recite that the research and

computational tools are used by the user in a real-time collaborative manner with other users. The additional patentable significance of this recitation is that neither Payne et al. nor Matyas, Jr., whether taken alone or in combination, teach or suggest this approach. The portion of Matyas, Jr. relied upon by the Examiner simply does not allow for real-time interaction between the users to respond to an alert. As noted above, there would be considerable delay in receiving and processing the information in accordance with any combination of Payne et al. and Matyas, Jr., due to the need for customers to receive a product, evaluate it, reply to a survey, send the information to the evaluator, and provide time for the evaluator to review, edit and supply the information. It is thus submitted that claim 20 is also clearly directed to patentable subject matter.

Claim 21, which depends from claim 1, is essentially identical in its recitations to claim 20. It is thus submitted, for the reasons stated above for claim 20, that claim 21 is also directed to patentable subject matter.

Enclosed is a check for \$170 for the fee for a one-month extension of time in which to respond to the office action (\$120) and for one additional dependent claim (\$50).

Respectfully submitted,

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